

**WRONGFUL DEATH ACTION AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd D. Weiler**

House Sponsor: \_\_\_\_\_

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**LONG TITLE****General Description:**

This bill amends provisions related to a wrongful death action.

**Highlighted Provisions:**

This bill:

- ▶ amends the definition of "heirs" for a wrongful death action; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**78B-3-105**, as renumbered and amended by Laws of Utah 2008, Chapter 3

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*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **78B-3-105** is amended to read:**78B-3-105. Definition of heir.**As used in Sections **78B-3-106** and **78B-3-107**, "heirs" means[~~:(1)~~] the following surviving persons:[~~(a)~~] (1) the decedent's spouse;

28           ~~[(b)]~~ (2) the decedent's children as provided in Section 75-2-114;

29           ~~[(c)]~~ (3) (a) the decedent's natural parents~~];~~ or

30           (b) if the decedent was adopted, ~~[then his]~~ the decedent's adoptive parents;

31           ~~[(d)]~~ (4) the decedent's stepchildren who:

32           ~~[(i)]~~ (a) are ~~[in their minority]~~ younger than 18 years old at the time of decedent's

33 death; and

34           ~~[(ii) are primarily financially dependent on the decedent.]~~

35           (b) (i) received financial support from the decedent at the time of decedent's death; or

36           (ii) resided with the decedent on at least a part-time basis at the time of the decedent's

37 death; or

38           ~~[(2)]~~ (5) ~~["Heirs" means]~~ any blood relative as provided by the law of intestate

39 succession if the decedent is not survived by a person under Subsection ~~[Subsections (1)(a);~~

40 ~~(b), or (c)]~~ (1), (2), or (3).